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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,545	03/11/2004	Alok Srivastava	oracle01.031	6477
7590 Gordon E. Nelson 57 Central St. P.O. Box 782 Rowley, MA 01969				
EXAMINER				
KIM, PAUL				
ART UNIT		PAPER NUMBER		
2169				
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11/06/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/798,545

**Applicant(s)**

SRIVSTAVA, ALOK

**Examiner**

PAUL KIM

**Art Unit**

2169

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This Office action is responsive to the following communication: Amendment filed on 28 July 2009.
2. Claims 1-28 are pending and present for examination.

### *Response to Amendment*

3. Claims 1, 5, 9, 15, 19, and 23 have been amended.
4. No claims have been cancelled.
5. No claims have been added.

### *Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1, 3, 5, 7, 9, 11 13, 15, 17, 19, 21, 23, 25 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Levy (U.S. Patent No. 5,995,961, hereinafter referred to as LEVY), filed on 7 November 1996, and issued on 30 November 1999, in view of Sass et al, U.S. Patent No. 6,769,028 (hereinafter referred to as SASS), filed on 26 May 2000, and issued on 27 July 2004.
8. **As per independent claim 1, 5, 9, 11, 15, 17, 19, 23 and 25**, LEVY, in combination with SASS, discloses:

A method performed in a search server of initiating a connection via a network for a streaming data item between a client that contains the streaming data item and a streaming data item server for the streaming data item, the client and the streaming data item server and the client and the search server being accessible to each other via the network (See SASS, Figure 7A), the connection being independent of the search server, and the method comprising the steps:

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receiving a specification of the streaming data item from the client via the network {See LEVY, C4:L25-34, wherein this reads over "the user formulates a query"};

using the specification to make a query on a database system that is accessible to the search server, the query returning a first identifier that identifies the streaming data item {See LEVY, C4:L25-34, wherein this reads over "[g]iven a query, Plan Generator accesses source descriptions in which the contents and capabilities of the available information sources are available"}; and

providing the first identifier and a second identifier to the streaming data item server that contains the streaming data item, the second identifier identifying the client {See SASS, C11:L56-59, wherein this reads over "the data includes a band selection and a channel selection, as discussed above, and the user name, user ID, internal identifier, and the like"} and the first identifier and the second identifier being used by the streaming data item server to establish the connection between the client and the streaming data item {See SASS, C12:L24-26, wherein this reads over "once the client computer receives the URL and associated data, the client computer contacts the web site specified by the URL"; and C12:L28-30, wherein this reads over "after successful authentication, the web site provides streaming media data to the client computer"}.

While LEVY may fail to expressly disclose an invention wherein the connection does not run through the search server, SASS discloses a system wherein a client computer requests a band and channel selection from a server. The server in turn determines the content server hosting said band and channel selection and provides a relevant URL to the client computer by which a direct connection may be made. See SASS, C12:L1-26. Additionally, wherein SASS discloses that the user ID and name is provided to the server such that data associated with the user is accessed from a database, it would have been obvious to one of ordinary skill in the art that SASS would indeed read upon the recited limitation of the second identifier identifying the client and being used by the streaming data item server to establish a connection. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above invention suggested by LEVY by combining it with the invention disclosed by SASS.

One of ordinary skill in the art would have been motivated to do this modification so that once the search server determines the location of the streaming data item, the client may make establish a direct connection with the data host.

9. **As per dependent claims 3, 7, 13, 21 and 27**, LEVY, in combination with SASS, discloses:

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The method of initiating a connection set forth in claim 1 wherein:

the database system is an object relational database system {See LEVY, Figure 1, Element 140} that includes a table containing an object that represents the streaming data item, an open method for the object is defined in the database system, the open method returning the first identifier {See LEVY, C4:L25-34, wherein this reads over "[g]iven a query, Plan Generator accesses source descriptions in which the contents and capabilities of the available information sources are available"; and

the database system responds to the query by executing the open method and returning the first identifier {See LEVY, C4:L25-34, wherein this reads over "[g]iven a query, Plan Generator accesses source descriptions in which the contents and capabilities of the available information sources are available" and "[b]ased on the descriptions, Plan Generator determines which information sources are relevant for the given query"}.

Furthermore, it would be inherent to the claimed invention that an object relational database system would include a table of objects.

10. **Claims 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over LEVY, in view of SASS, and in further view of Rodriguez (USPGPUB No. 2004/0059720, hereinafter referred to as RODRIGUEZ), filed on 23 September 2002, and published on 25 March 2004, and in further view of Official Notice.

11. **As per dependent claims 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26 and 28**, LEVY, in combination with SASS and Official Notice, discloses:

The method of initiating a connection set forth in claim 1 wherein:

the client, the streaming data item server, and the search server communicate via the network using the HTTP protocol {See RODRIGUEZ, [0002], wherein this reads over "Web pages or domain addresses on the Internet or on any other public or private global computer network"};

the first identifier is a URL for the streaming data item {See RODRIGUEZ, [0042], wherein this reads over "[t]he search system is an application that allows users to enter predetermined search keywords and provides a list of results containing site information and media elements pertaining to each Web site"}; and

the second identifier is a current IP address for the client.

It would have been obvious to one of ordinary skill in the art at the time the invention was created to have an identifier be an IP address for the client since the IP/network address is necessary in the return of the search results.

***Response to Arguments***

12. Applicant's arguments with respect to claims 1, 5, 9, 15, 19, and 23 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL KIM whose telephone number is (571)272-2737. The examiner can normally be reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tony Mahmoudi can be reached on (571) 272-4078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tony Mahmoudi/  
Supervisory Patent Examiner, Art Unit 2169

Paul Kim  
Examiner, Art Unit 2169

/pk/